

Notice of Allowability

Application No.

10/604,809

Examiner

Charles G. Freay

Applicant(s)

LEEN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the papers filed August 19, 2003.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>9/2003</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Electronic Version of the application there are numerous instances where the space between adjacent words was removed. The below amendments were made to correct these obvious typographical/scanning errors.

In the specification:

At paragraph [0007] line 13 "apair" was deleted and --a pair-- was inserted therefore and "eachcomprising" was deleted and --each comprising-- was inserted therefore.

At paragraph [0007] lines 14 and 15 "venturi,wherein" was deleted and --venturi, wherein" was inserted therefore.

At paragraph [0007] line 16 "oppositesidesedges" has been deleted and --opposite sides edges-- has been inserted therefore.

At paragraph [0010] line 1 "bodyfor" has been deleted and --body for-- has been inserted therefore.

At paragraph [0014] line 6 "body34" has been deleted and --body 34-- has been inserted therefore.

At paragraph [0014] line 8 "body50" has been deleted and --body 50-- has been inserted therefore.

At paragraph [0015] line 1 "body50" has been deleted and --body 50-- has been inserted therefore.

At paragraph [0015] line 8 "body50further" has been deleted and --body 50 further-- has been inserted therefore.

At paragraph [0015] line 16 "venturi54" has been deleted and --venturi 54-- has been inserted therefore.

At paragraph [0015] line 17 "ferrule48" has been deleted and --ferrule 48-- has been inserted therefore.

At paragraph [0016] line 6 "58directanother" and "26to" have been deleted and --58 direct another-- and --26 to-- have been respectively inserted therefore.

At paragraph [0016] line 7 "anopposite" has been deleted and --an opposite-- has been inserted therefore.

At paragraph [0016] line 8 "whichair" has been deleted and --which air-- has been inserted therefore.

At paragraph [0016] line 9 "venturi54" has been deleted and --venturi 54-- has been inserted therefore.

At paragraph [0018] line 5 "body34also" has been deleted and --body 34 also-- has been inserted therefore.

At paragraph [0018] line 6 "havinga" has been deleted and --having a-- has been inserted therefore.

At paragraph [0018] line 14 "pluralityof" has been deleted and --plurality of-- has been inserted therefore.

At paragraph [0018] line 15 "70occupy" has been deleted and --70 occupy-- has been inserted therefore.

At paragraph [0018] line 17 "uppersurface63" has been deleted and --upper surface 63-- has been inserted therefore.

At paragraph [0018] line 18 "48.More" has been deleted and --48. More-- has been inserted therefore.

At paragraph [0019] lines 3 and 4 "anupstream" has been deleted and --an upstream-- has been inserted therefore.

At paragraph [0019] line 4 "lowersurface" has been deleted and --lower surface-- has been inserted therefore.

At paragraph [0019] line 5 "body34" has been deleted and --body 34-- has been inserted therefore.

At paragraph [0019] line 7 "ofprimary" has been deleted and --of primary-- has been inserted therefore.

At paragraph [0019] line 9 "thedownstream surface ofthe" has been deleted and -the downstream surface of the-- has been inserted therefore.

At paragraph [0019] line 12 "venturi54" has been deleted and --venturi 54-- has been inserted therefore.

At paragraph [0019] line 14 "downstreamfrom" has been deleted and --downstream from-- has been inserted therefore.

At paragraph [0019] line 15 "Asecond" has been deleted and --A second-- has been inserted therefore.

At paragraph [0019] line 16 "body50" has been deleted and --body 50-- has been inserted therefore.

At paragraph [0019] lines 16 and 17 "passages58defined" has been deleted and --passages 58 defined-- has been inserted therefore.

At paragraph [0019] line 18 "60disposed" has been deleted and --60 disposed-- has been inserted therefore.

At paragraph [0020] line 2 "upstreamsurfaceof" has been deleted and --upstream surface of-- has been inserted therefore.

At paragraph [0020] line 9 "62the ferrule body34" has been deleted and --62 the ferrule body 34-- has been inserted therefore.

At paragraph [0021] lines 1, 5 and 18 "body50" has been deleted and --body 50-- has been inserted therefore.

At paragraph [0021] line 4 "body34" has been deleted and --body 34-- has been inserted therefore.

At paragraph [0021] line 17 "body34in" has been deleted and --body 34 in-- has been inserted therefore.

At paragraph [0022] lines 2, 6, 11, 14, 16, 21, 24, 30 and 31 "body50" has been deleted and --body 50-- has been inserted therefore.

At paragraph [0021] lines 5, 9, 10, 14, 15, 20, 23, 25, 30, 31 and 34 "body34" has been deleted and --body 34-- has been inserted therefore.

At paragraph [0021] line 7 "74confront" has been deleted and --74 confront-- has been inserted therefore.

At paragraph [0021] line 8 "opposingside" has been deleted and --opposing side-
- has been inserted therefore.

At paragraph [0021] lines 9 and 12 "46,47" has been deleted and --46, 47-- has been inserted therefore.

At paragraph [0024] lines 3 and 8 "body34" has been deleted and --body 34-- has been inserted therefore.

At paragraph [0024] line 5 "86typically" has been deleted and --86 typically-- has been inserted therefore.

At paragraph [0024] line 6 "combustor 10" has been deleted and --body 50-- has been inserted therefore.

At paragraph [0024] line 9 "body50" has been deleted and --body 50-- has been inserted therefore.

At paragraph [0025] line 5 "body34" has been deleted and --body 34-- has been inserted therefore.

At paragraph [0025] line 8 "70provides" has been deleted and --70 provides-- has been inserted therefore.

In the Abstract and line 1 "Aunitary" has been deleted and --A unitary-- has been inserted therefore.

In the Abstract at line 3 “hasoppositely” has been deleted and --has oppositely-- has been inserted therefore.

In the Abstract at line 5 “bodytolimit” has been deleted and --body to limit-- has been inserted therefore.

In claim 1 line 17 each of “apair” and “eachcomprising” have been deleted and --a pair-- and --each comprising-- have been inserted therefore, respectively.

In claim 1 lines 17 and 18 “venturi,wherein” has been deleted and --venturi, wherein-- has been inserted therefore.

In claim 1 line 19 “engagethe” has been deleted and --engage the-- has been inserted therefore.

In claim 1 line 20 “oppositesidesedges” has been deleted and --opposite sides edges-- has been inserted therefore.

In line 2 of claims 2, 3, 5 and 6 “theunitary” has been deleted and --the unitary-- has been inserted therefore.

In claim 2 line 4 “theferrule” has been deleted and --the ferrule-- has been inserted therefore.

In claim 2 line 4 “the-“ has been deleted and --the-- has been inserted therefore.

In line 1 of claims 7 and 8 “thepair” has been deleted and --the pair-- has been inserted therefore.

In claim 9 line 1 “theferrule” has been deleted and --the ferrule-- has been inserted therefore.

In claim 10 line 17 “eachcomprising” has been deleted and --each comprising-- has been inserted therefore.

In claim 10 line 24 “apart,so” has been deleted and --apart, so-- has been inserted therefore.

In claim 10 line 27 “oppositesidesedges” has been deleted and --opposite sides edges-- has been inserted therefore.

The following is an examiner's statement of reasons for allowance: the prior art neither discloses nor makes obvious a swirler assembly having a ferrule body with a substantially square base and a central opening as claimed including plural protrusions along the upper surface of the side edges, and a unitary swirler body including first and second swirlers which have oppositely angled passages and are disposed coaxially around a venturi and wherein the unitary swirler comprises a pair of rails, each comprising an inwardly extending flange, each formed on opposite sides of the venturi, for engage and limit separation of the ferrule body.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles G. Freay whose telephone number is 571-272-

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4827. The examiner can normally be reached on Monday through Friday 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Thorpe can be reached on 571-272-4444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Charles G. Freay
Primary Examiner
Art Unit 3746

CGF
July 7, 2006